?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 07.03.2019
*CORAM
THE HONOURABLE MR.JUSTICE N.SESHASAYEE
+Crl.O.P.(MD)No.3068 of 2019
and
Crl.M.P.[MD]No.1702 of 2019

#Thavasuraja
: Petitioner / Accused No.1
/Vs./
$State through by
1.The Inspector of Police,
Nerkuppai Police Station
Sivagangai District. : 1st Respondent / Complainant
[Crime No.44 of 2012]

2.Kanagaraj : 2nd Respondent / De facto
Complainant
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining in C.C.No.177 of 2013 on the file of the Judicial Magistrate, Thiruppathur, Sivagangai District and quash the same.
!For Petitioner : Mr.A.Vadivel
^For R~1 : Mr.V.Neelakanden
Additional Public Prosecutor

For R~2 : Mr.K.Abiya

:ORDER
The Criminal Original Petition has been filed to quash the proceedings in C.C.No.177 of 2013 on the file of the Judicial Magistrate, Thiruppathur, Sivagangai District, for alleged offences under Sections 341, 324 and 506(ii) IPC. The offences are private in nature.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The petitioner and the second respondent were also present in person before this Court and they were identified by Mr.G.Chandran, Special Sub~Inspector of Police, Nerkuppai Police Station, Sivagangai District, Contact:83000 00933. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the proceedings pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon-ble

Supreme Court reported in 2017 9 SCC 641~(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the proceedings in C.C.No.177 of 2013 on the file of the Judicial Magistrate, Thiruppathur, Sivagangai District

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.177 of 2013 on the file of the Judicial Magistrate, Thiruppathur, Sivagangai District, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. The petitioner shall pay a sum of Rs.1,000/~ as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry, Madurai Bench), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, connected Miscellaneous Petition is closed.

To

1.The Judicial Magistrate, Thiruppathur, Sivagangai District.

2.The Inspector of Police,
Nerkuppai Police Station
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.